# UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS MIDLAND DIVISION

JAN 17 2018

CLERK US DISTRICT CLERK
WESTER LOSTRICT OF TEXAS
BY

DEPUTY

CASE NO. 7:17-cv-00222

DONNA ORNES,

Claimant

V.

David Landburgh, Et Al TEXAS ACCEPTANCE

**Defendants** 

MOTION TO RECONSIDER TO PROCEED in forma pauperis.

The petitioner, Donna Ornes is submitting an amended application to be considered for proceeding in forma pauper. Application attached.

Respectfully submitted,

Donna Ornes

### **CERTIFICATE OF SERVICE**

I hereby affirm / certify that on this 17th day of January, 2018, I provided a copy by email and mailed forgoing document by USPS.

Emailed to Attorney: dsander@sbylaw.com>

Mailed Hardcopy to Attorney: David Sander Scanlan, Buckle & Young, P.C. 602 West 11th Street Austin, Texas 78701 AO 240 (Rev. 07/10) Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form)

# **UNITED STATES DISTRICT COURT**

for the

Down Ornes,										
Plaintiff/Petitioner	, )									
Plaintiff/Petitioner  David Landburgh : Toxas Acception	) Civil Action No.	7:17-CV 222								
APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS (Short Form)										
I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.										
In support of this application, I answer the following questions under penalty of perjury:										
1. If incarcerated. I am being held at:  If employed there, or have an account in the institution, I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name. I am also submitting a similar statement from any other institution where I was incarcerated during the last six months.  2. If not incarcerated. If I am employed, my employer's name and address are:										
My gross pay or wages are: \$24,261,50, and my take-home pay or wages are: \$20,896,40 per 40 (specify pay period) Jan 1,2016- Dec 31, 2017 *See Attached										
3. Other Income. In the past 12 months, I have received income from the following sources (check all that apply):										
<ul> <li>(a) Business, profession, or other self-employment</li> <li>(b) Rent payments, interest, or dividends</li> <li>(c) Pension, annuity, or life insurance payments</li> <li>(d) Disability, or worker's compensation payments</li> <li>(e) Gifts, or inheritances</li> <li>(f) Any other sources</li> </ul>	☐ Yes	No No No No No No No								

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

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AO 240 (Rev. 07/10) Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form)

	4. Amount of money that I have in cash or in a checking or savings account: \$ 50								
	5. Any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or value that I own, including any item of value held in someone else's name (describe the property and its approximate								
	Na								
	6. Any housing, transportation, utilities, or loan payments, or other regular monthly expenses (describe and provide nt of the monthly expense):								
	Rent \$1200 300d \$400 Locans 253 4 11700 Auto \$603 Meds \$39 Utilities \$50								
7. Names (or, if under 18, initials only) of all persons who are dependent on me for support, my relationship with each person, and how much I contribute to their support:  Sordin Orns-Son Julius Musa (15) Grand daughter  Tsabella Musa (14) And daughter									
	8. Any debts or financial obligations (describe the amounts owed and to whom they are payable):								
	r KC								
statemen	Declaration: I declare under penalty of perjury that the above information is true and understand that a false nt may result in a dismissal of my claims.								
Date:	1-17-18  Applicant's signature								
	DOUNT OTNES								
	Printed name								

### **Donna Ornes**

## **Attachment to Forma Pauperis**

- 1) When the forma pauperis was submitted to the district by claimant, Donna Ornes, submitted that current monthly earnings were \$2,227. This was not for every month of 2017.
- 2) The CO Unemployment form attached shows total amount of wages earned and unemployment earnings for 2017. Earnings for the year fall within the low income for a family of four (4).



Welcome, DONNA M ORNES SS# XXX XX 1427.

Your claim status COMPLETED, no further benefits are due to be paid; however, you can file an appeal for an extension for review. There is no guarantee the appeal will be approved as your 13 weeks have been paid.

- MyUI Claimant Information

# Current Claim: Payment Information

Click anywhere within a payment row to view the corresponding payment detail.

Click a column heading to sort by the column.

Benefit Week E.	Senefit Week Ending Date Payment Request	Date Paid	Gross Amount Net Amount	Net Amount
12/23/2017	12/24/2017	12/24/2017	568.00	568.00
12/16/2017		12/24/2017	568.00	568.00
12/09/2017	,	12/11/2017	568.00	568.00
12/02/2017	•	12/11/2017	568.00	568.00
11/25/2017		11/26/2017	568.00	568.00
11/18/2017	,	11/26/2017	568.00	568.00
11/11/2017	11/12/2017	11/12/2017	568.00	568.00
11/04/2017	•	11/12/2017	568.00	568.00
10/28/2017	. 1	10/30/2017	568.00	568.00
10/21/2017	, ,	10/30/2017	500.00	500.00

0.00	0.00	0.00	0.00	0.00	0.00	0.00	568.00	0.00	0.00	0.00	0.00
CORRECTED 0.00	CORRECTED <u>0.00</u>	07/30/2017 568.00	0.00	0.00	0.00	00.00					
09/10/2017	09/10/2017	08/27/2017	08/27/2017	08/13/2017	08/13/2017	07/30/2017	07/30/2017	07/16/2017	07/16/2017	07/02/2017	07/02/2017
09/09/2017	09/02/2017	08/26/2017	08/19/2017	08/12/2017	08/05/2017	07/29/2017	07/22/2017	07/15/2017	07/08/2017	07/01/2017	06/24/2017

2017 Earnings From Employment 16,945.50 2017 Unemployment Total Earnings

7,316.00

Net Benefit Amount: 568.00

Transaction Number: 0319400

Type of Benefit:Regular Unemployment Benefits

Date Payment Requested: 12/24/2017

Date Paid: 12/24/2017

Reason Paid: Total Payments

Benefit Payment Control



COLORADO

Department of Labor and Employment Division of Unemployment Insurance

www.colorado.gov/cdle/unemployment